

REMARKS/ARGUMENTS

- Amendments -

Applicant respectfully requests that the pending claims and specification be amended as indicated in the accompanying amended page(s), in which:

- Claim 1 is amended;
- Add new claim 3; and
- Pages 3 and 4 of the specification is amended to explicitly incorporate subject matter previously incorporated by cross-reference.

Claims 1 to 2 remain pending. Applicant submits that no new matter has been added by these amendments.

- Remarks -

35 USC §112

Claim 2 is rejected under §112, first paragraph, for failing to comply with the written description. The rejection asserts that the limitation of “*a card having printed on a surface thereof a plurality of image manipulation instructions*” is not found in the specification.

Applicant inserts into the present specification the disclosure from US Patent No. 6,315,200, at col. 13, line 32, - col. 4, line 30, which explicitly describes the above feature.

US Patent No. 6, 315, 200 as indicated at page 48, line 12, of the present specification is incorporated by cross-reference into the present specification.

In view of the renumbering of pages caused by the insertion of the above text into the specification, Applicant submits with this response a complete replacement specification with the added portions marked-up.

35 USC §103(a) - Claim 1

Claim 1 is rejected under §103(a) over the combination of Ota (US 6,201,571) and Bernardi et al. (US 5,692,225).

In rejecting claim 1, the rejection asserts that Ota discloses the features of claim 1 except for a decorative clip art being added to the sensed image. However, the rejection contends that Bernardi et al. teach this feature. Applicant respectfully disagrees.

Bernardi et al. do not in fact teach or suggest adding any graphic to the sensed image. The sensed image of Bernardi et al. is not in anyway modified. Rather, Bernardi et al. teach only that annotations can be printed onto a print-out of an image. The original sensed image is however totally unmodified.

Moreover, the annotations of Bernardi et al. are not decorative clip art graphics that have a correlation to the auto exposure setting of the digital camera. Rather, the annotations of Bernardi et al. are recorded voice messages that are spoken by a user when taking an image. The recorded voice messages, transcribed into text so that they can be printed with a print-out of the image, have no correlation whatsoever with an auto exposure setting of the camera.

The combination of Ota and Bernardi et al. hence still fails to arrive at the claimed invention, which comprises a step of adding exposure specific decorative clip art graphics to the sensed image.

35 USC §103(a) - Claim 2

Claim 2 is rejected under §103(a) over the combination of Ota (US 6,201,571), "The All-Digital Camcorder - The Arrival of Electronic Cinematography" by Thorpe et al., and Bernardi et al. (US 5,692,225).

In rejecting claim 2, the rejection asserts that Ota teaches the features of claim 2 except for a step of inserting into the digital camera a card having printed on a surface thereof a plurality of image manipulation instructions, and a step of reading the card to determine the image manipulation instructions. However, the rejection contends that Thorpe et al. teach this feature in part. The rejection further acknowledges that the combination of Ota and Thorpe et al. still fails to teach that the instructions are printed on a surface of the memory card, but contends that Bernardi et al. teach this feature. Applicant respectfully disagrees.

Bernardi et al. in no way teaches or suggests that image manipulation instructions can be printed on a card. When read in full, Bernardi et al. teaches only that an actual message to be printed is written on a card. This actual message can then be scanned using OCR and printed. This teaching of Bernardi et al. in no way suggests or otherwise teaches one of ordinary skill in the art how image manipulation instructions can be printed on a card and subsequently read, understood, and executed.

One of ordinary skill in the art would clearly appreciate the difference between an image manipulation instruction whose meaning needs to be understood by a computer, and a mere string of text which need only be reproduced but whose meaning need not be understood.

None of the cited references teach or suggest that instructions can be printed on a surface of a card, and subsequently read and executed.

Further, the combination of Ota, Thorpe et al., and Bernardi et al. still fails to teach the step of executing one or more of the image manipulation instructions in accordance with an auto exposure setting of the camera to add exposure specific decorative graphics to said image. As previously noted, Ota does not teach or suggest adding exposure specific decorative graphics. Similarly, Bernardi et al. also does not teach or suggest adding exposure specific decorative graphics.

As previously argued, and for which no rebuttal was received, the information superimposed on the synthesized image by Ota is not a decorative graphic. Whether or not a graphic is decorative is objective not subjective as discussed in Applicant's response of 23 June 2009.

Applicant hence respectfully submits that the combination of Ota, Thorpe et al., and Bernardi et al. still does not teach or suggest claim 2, in particular the step of inserting into the digital camera a card having printed on a surface thereof a plurality of image manipulation instructions.

Other Amendments

New claim 3 is added.

Applicant looks forward to word of further official communication in due course.

Very respectfully,



Kia Silverbrook, Managing Director

Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: pair@silverbrookresearch.com

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762